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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kensil, Charlotte

Application No.: 09/760,506

Filed: January 12, 2001

For: INNATE IMMUNITY-STIMULATING
COMPOSITIONS OF CPG AND SAPONIN AND
METHODS THEREOF



Art Unit: 1636

Examiner: Sita S. Pappu

Atty Docket No.:8449-153-999

Assistant Commissioner for Patents
Washington, DC 20231

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SIR:

In response to the communication from the Examiner and a Notice to Comply with Requirements for Patent Applications mailed February 8, 2002, Applicant submits herewith a Sequence Listing in paper and computer-readable format pursuant to 37 C.F.R. § 1.821(c) and (e).

I hereby state that the content of the paper and computer-readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same. I hereby state that the submission herein under 37 C.F.R. § 1.821(g) does not include new matter.

Date February 26, 2002

Respectfully submitted,

Ref:  47,167
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Enclosures

#71581
3/21/02

UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/760506	01/12/2001	Kensil, Charlotte	8449-153-999



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EXAMINER	
Sita S. Pappu	
ART UNIT	PAPER NUMBER
1636	6

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821-1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Sequences are disclosed in the specification but are not identified by their sequence identifiers (i.e. SEQ ID NO). For example, claims 10 and 25, and specification on pages 5, 6, 15, 20, 22, 33, include nucleotide sequences that are not identified by sequence identifiers. Applicant is further reminded that amendment to the specification, and/or claims is required to comply with 37 C.F.R. 1.821(d). Each sequence disclosed in the specification and figures must be identified by its sequence identifier (i.e., SEQ ID NO:). Applicant is reminded that the entire specification and figures should be reviewed for sequence disclosures.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.R.F. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Sita S. Pappu whose telephone number is (703) 305-5039. If the examiner cannot be reached, inquiries can be directed to Supervisory Patent Examiner Irem Yucel whose telephone number is (703) 305-1998. The fax number for the organization where this application is assigned is (703) 308-8724. Any inquiry of a general nature or relating to the status of this application should be directed to the Patent Analyst at (703) 305-2982.

Anne-Marie Baker

ANNE-MARIE BAKER
 PATENT EXAMINER

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which th Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comp with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: The specification and claims must be amended in accordance with 37 C.F.R. 1.821(d). The specification discloses sequences that are not identified by their sequence identifier.

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry in the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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